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10/635,563	08/07/2003	Carol A. Fredrickson	72167.000403	9857

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EXAMINER

WRIGHT, JAMES B

ART UNIT	PAPER NUMBER
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3693

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/635,563	Applicant(s) FREDRICKSON ET AL.	
	Examiner J. Bradley Wright	Art Unit 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/12/2004 and 5/14/2004</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Drawings

1. Replacement drawings were received on April 5, 2004. These drawings are not acceptable.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because multiple reference characters have been used to designate multiple elements, as follows:

- Reference character 1805 in Figure 13b (and paragraph 0144) has been used to designate both the Currency menu and the Country menu.

- Reference character 5225 in Figure 41 has been used to designate both the radio buttons and the country code field.

- Reference character 6720 in Figures 60 and 62 has been used to designate both the Fed Wire tab in Figure 60a and the Show radio buttons in Figure 62a.

- Reference character 6725 in Figures 60 and 62 has been used to designate both IDC Ticket tab in Figure 60a and the Match Criteria radio buttons in Figure 62a.

- Reference character 6730 in Figures 60 and 62 has been used to designate both the Get Southwest Accounting button in Figure 60a and the serial number field in Figure 62a.

- Reference character 6735 in Figures 60 and 62 has been used to designate both the Get Northeast Accounting button in Figure 60a and the credit field in Figure 62a.

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- Reference character 6740 in Figures 60 and 62 has been used to designate both the Get All Accounting button in Figure 60a and the debits field in Figure 62a.
- Reference character 6745 in Figures 60 and 62 has been used to designate both the Refresh button in Figure 60a and the Remark field in Figure 62b.
- Reference character 6750 in Figures 60 and 62 has been used to designate both the NE DDA Extract button in Figure 60a and the Copy Debit to Credit button in Figure 62b.
- Reference character 6755 in Figures 60 and 62 has been used to designate both the VAT Extract button in Figure 60a and the Copy Credit to Debit button in Figure 62b.
- Reference character 6760 in Figures 60 and 62 has been used to designate both the Chase Link Extract button in Figure 60b and the Serial Number field in Figure 62b.
- Reference character 6765 in Figures 60 and 62 has been used to designate both the EFUN Extract button in Figure 60b and the Case Number field in Figure 62b.
- Reference character 6770 in Figures 60 and 62 has been used to designate both the STARS Extract button in Figure 60b and the Balance field in Figure 62b.
- Reference character 6775 in Figures 60 and 62 has been used to designate both the IRS Extract button in Figure 60b and the Reconciled Date field in Figure 62b.
- Reference character 6780 in Figures 60 and 62 has been used to designate both the SSR Extract button in Figure 60b and the Date field in Figure 62b.

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- Reference character 6785 in Figures 60 and 62 has been used to designate both the Export to Excel button in Figure 60a and the save buttons in Figure 62b.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

- 715 (scanner selection area) in paragraph 0122 (Examiner notes that Figure 7 and paragraph 0123 refer to COI tab 715);

- 715a and 715b in paragraph 0122;
- 765 in paragraph 0127;
- 905 in paragraph 0136;
- 2370 in paragraph 0157;
- 3245 in paragraph 0165;
- 3531 in paragraph 0174;
- 3593 in paragraph 0178;
- 4100 in paragraph 0187;
- 2420b and 2420c in paragraph 0195;
- 705f in paragraph 0198;
- 5255 in paragraph 0199;
- 705g in paragraph 0205; and
- 6505 in paragraph 0213.

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4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- 520 in Figure 5;
- 611, 670 and 696 in Figure 6;
- 1505, 1515, 1525, 1530 and 1535 in Figure 10;
- 1920 in Figure 14b;
- 2245 in Figure 17;
- 2367 in Figure 18b;
- 3405, 3406, 3407, 3410, 3417 and 3455 in Figure 24;
- 3583 and 3595 in Figure 25b;
- 3724 in Figure 27b;
- 4920b and 4920c in Figure 39a;
- 5205 in Figure 41b;
- 5925 in Figure 48a;
- 6025 in Figure 52a;
- 6755 in Figure 60a;
- 6775 in Figure 60b;
- 6790 and 6792 in Figure 62a; and
- 6770 in Figure 62b.

5. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6. The disclosure is objected to because of the following informalities:

- Paragraph 0126 refers to a numeric intra-day item sequence 1430 being the last 4 digits of the index key 1400. However, according to paragraph 0126 and Figure 9, the page number 1440 comprises the last digits of the index key 1400.

- Paragraph 0144 refers to the "To Customer" tab by reference number 1650. However, the "To Customer" tab is identified by reference number 1660 in Figures 11 and 13, and paragraph 0141.

- Paragraph 0163 indicates that a sample deposit ticket format is shown in Figure 31A. Pursuant to the replacement drawings, it should read, "Figure 31c".

Appropriate correction is required.

Claim Objections

7. Claim 12 is objected to because of the following informalities: the term “generates” in line 9 of claim 12 should read, “generating”. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 3 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, claims 3 and 9 include process steps within a system/apparatus claim. Namely, claim 3 includes a payment screen performing the steps of displaying images and accepting input, and claim 9 includes the step of scanning a check with a check scanner, if the check is determined to be drawn on a U.S. bank. According to MPEP § 2173.05(p), a single claim which claims both an apparatus and the method steps of using the apparatus is indefinite under 35 U.S.C. 112, second paragraph. Further, according to MPEP § 2106, an apparatus claim with process steps is not classified as a “hybrid” claim; instead, it is simply an apparatus claim including functional limitations for the purposes of examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 7-8, 10-11, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Copeland III, et al. (US Patent No. 5,784,610), in view of Wagner, et al. (US Patent No. 5,424,938).

10. Regarding claims 1 and 11, Copeland discloses a system for capturing and processing information from a collection item (Figure 2), the system comprising:

- one or more scanners structured to scan and extract information, including image information, from a collection item and/or one or more documents associated with the collection item (items 24 and 37 of Figure 2B);
 - a client operable to receive the information from the one or more scanners, associate the collection item and any associated documents together as an image-based unit of work (column 5, lines 11-35 and column 10, lines 55-65), and provide a display interface for a user of the client (column 5, line 60 – column 6, line 4);
 - a database operable to store the extracted information (column 7, line 61 – column 8, line 2) so as to be retrievable on a unit of work basis (column 14, lines 54-59);
- and

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- an application server coupled to the client and the database, the application server being operable to access information stored in the database, make information from the database available to the client, and interface with external systems (Figures 2 and 4, and column 15, lines 45-63).

However, Copeland does not explicitly disclose accepting input from the user, and performing processing of the collection item in accordance with the user's input.

Wagner discloses a method and apparatus for providing access to a plurality of payment networks (Figure 1 and Abstract) including accepting input from the user (Figures 3-10 and column 2, lines 40-53), and performing processing of the collection item in accordance with the user's input (column 2, lines 40-53) for the purpose of providing a display interface to initiate and complete monetary transfers using a variety of payment networks (column 2, lines 27-37). Therefore, it would have been obvious to one of ordinary skill in the art to modify Copeland to accept input from a user and process a collection item based on the user's input in order to enable the user to selectively process the collection item on a specified payment network.

11. Regarding claims 7 and 17, the combination of Copeland and Wagner meets the claim limitations as discussed above for claims 1 and 11. However, Copeland does not explicitly disclose providing auto-fill of data for items the information for which has previously been stored in the database. Wagner discloses automatically filling input fields with previously stored data for the purpose of expediting and facilitating the entry of repetitive data previously entered and stored. Therefore, it would have been obvious

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to one of ordinary skill in the art to modify Copeland to automatically populate input fields with stored information in order to expedite and facilitate the entry of such information.

12. Regarding claims 8 and 18-19, the combination of Copeland and Wagner meets the claim limitations as discussed above for claims 1 and 11. Copeland further discloses a check scanner operable to read MICR information (item 37 in Figure 2B). However, Copeland does not explicitly disclose a flatbed scanner. The Examiner takes Official Notice that it was old and well known in the art at the time the invention was made to utilize a flatbed scanner for the purpose of scanning images of documents. Therefore, it would have been obvious to one of ordinary skill in the art to modify Copeland to use a flatbed scanner in order to scan and collect images of documents of a size not compatible with a standard check scanner.

13. Regarding claims 10 and 20, the combination of Copeland and Wagner meets the claim limitations as discussed above for claims 1 and 11. However, Copeland does not explicitly disclose that the database is a relational database. The Examiner takes Official Notice that it was old and well known in the art at the time the invention was made to use a relational database to store data for the purpose of organizing and structuring data for fast and reliable data retrieval. Therefore, it would have been obvious to one of ordinary skill in the art to modify Copeland to use a relational database in order to improve the speed and reliability of data retrieval.

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14. Claims 2, 3, 9 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Copeland in view of Wagner, and in further view of the Admitted Prior Art (APA) in the Background section of the Application.

15. Regarding claims 2 and 12, the combination of Copeland and Wagner meets the claims limitations as discussed above for claims 1 and 11. Copeland further discloses:

- scan and index module that controls scanning of the collection item and, in cooperation with input of the user, organizes the scanned information in the image-based unit of work for storage in the database (column 5, lines 11-35 and column 10, lines 55-65), the scan and index module generating a unique database key for the collection item so as to allow all documents in the unit of work for the collection item to be accessed on the basis of the database key (column 11, line 63-67 and column 14, lines 54-56); and

- a user interface module that generates screens to prompt input of information from a user and display information relating to the unit of work, including image information, to the user (column 14, lines 54-67).

However, Copeland does not explicitly disclose sorting the collection item in accordance with a collection item type and processing payments of the collection item in accordance with the collection item type.

The APA discloses the collection items are typically categorized (i.e. sorted) according to type (i.e. incoming, outgoing, foreign, domestic, etc.) (paragraph 03) for the purpose of determining the appropriate procedures to follow when processing the items

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(paragraph 04). Accordingly, the APA further discloses processing payments of the collection items based on the category into which the collection item falls (paragraphs 04 and 05) for the purposes of properly processing the item. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to sort collection items according to type and to process payment of the collection item based on the type in order to properly process the collection item.

16. Regarding claims 3 and 13, the combination of Copeland, Wagner and the APA meets the claims limitations as discussed above for claims 2 and 12. Copeland further discloses displaying images of all documents in a unit of work to the user (column 14, lines 54-59). However, Copeland does not explicitly disclose generating a payment screen for accepting input and saving data entered by the user. Wagner discloses generating a payment screen (Figures 3-10 and column 6, lines 1-18), the payment screen accepting input relating to (a) the party to whom payment is to be made, (b) the party that issued the collections item, (c) the amount of the payment, and (d) the method of payment (Figure 3), the payment screen providing means for the user to commit a payment so as to save data entered through the payment screen (column 7, lines 44-56).

17. Regarding claim 9, the combination of Copeland, Wagner and the APA meets the claims limitations as discussed above for claim 2. Copeland further discloses a check scanner operable to read MICR information (item 37 in Figure 2B). However, as noted

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above, Copeland does not explicitly disclose a flatbed scanner. The Examiner again takes Official Notice that it was old and well known in the art at the time the invention was made to utilize a flatbed scanner for the purpose of scanning images of documents. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Copeland to use a flatbed scanner in order to scan and collect images of documents of a size not compatible with a standard check scanner.

18. Claims 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Copeland, in view of Wagner and the APA, and further in view of Kern (US Patent No. 5,349,170).

The combination of Copeland, Wagner and the APA meets the claims limitations as discussed above for claims 2 and 12. However, Copeland does not explicitly disclose a balance and distribution module that effects payment and account balancing for the payment of processed collection items.

Kern discloses an image-based document processing system providing enhanced transaction balancing (Figure 1 and Abstract) including a balance and distribution module (item 50c in Figure 14) that effects payment and account balancing for the payment processed collection item (column 15, lines 38-53), the balance and distribution module being operable to cause the user interface module to generate a balance and distribution screen to allow the user to distribute funds and balance accounts of processed collection items and to allow the user to create deposit tickets (Figure 20 and column 15, line 54 – column 16, line 57) for the purpose of balancing

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transactions that do not balance. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Copeland to incorporate a balancing workstation in order to facilitate the correction and processing of out-of-balance transactions.

19. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Copeland in view of Wagner, and further in view of Baron (US Patent Application Publication No. 2004/0201735).

The combination of Copeland and Wagner meets the claims limitations as discussed above for claims 1 and 11. Copeland further discloses external interface modules that provide interface with external systems (Figure 2). However, Copeland does not explicitly disclose a queue module and an archive interface.

Baron discloses an image storage queue (Figure 3, paragraph 0032) including:

- creating queues for storing data to be used during processing of the system (paragraph 0013), and dynamically tracking and updating status of the queues (paragraphs 0018 and 0025) for the purpose of efficiently managing the storage space available in the memory storage unit (item 106 in Figure 1); and
- uploading information stored in the database to an archive after a predetermined period of time (paragraph 0027) for the purpose of ensuring adequate storage space in the memory storage unit for new images by archiving older data (paragraph 0015).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Copeland to incorporate a queue for storing image data in order to better manage the available storage space in the database, and archiving old data in order to free up available space in the database for new images and data.

20. Regarding claims 6 and 16, the combination of Copeland, Wagner and Baron meets the claim limitations as discussed above for claims 5 and 15. However, Copeland does not explicitly disclose that the external interface modules interface using one or more of FEDWIRE, CHIPS and SWIFT. Wagner discloses a method and apparatus for providing access to a plurality of payment networks, such as FEDWIRE, ACH, SWIFT or CHIPS, which includes a network interface to communicate with the payment networks (Figure 1 and column 3, line 59 – column 4, line 28) for the purpose of providing a display interface to initiate and complete monetary transfers using the variety of payment networks (column 2, lines 27-37). Therefore, it would have been obvious to one of ordinary skill in the art to modify Copeland to include external interfaces with FEDWIRE, CHIPS and SWIFT in order to enable the user to selectively process the collection item on a specified payment network.

Conclusion

21. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

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- Pater, et al. (US Patent Application Publication No. 2002/0055907) discloses an electronic payment system and method;
- Wu, et al. (US Patent No. 6,825,940) discloses a method of processing documents in an image-based document processing system and an apparatus therefor;
- Curley, et al. (US Patent No. 5,687,250) discloses an image quality analysis method and apparatus;
- Higgins, et al. (US Patent Application Publication No. 2003/0037002) discloses an electronic check presentment with image interchange system and method of operating an electronic check presentment with image interchange system;
- Maloney (US Patent Application Publication No. 2002/0184151) discloses a method and system for processing images for a check sorter;
- Hyde, Jr. (US Patent No. 6,038,553) discloses a self service method of and system for cashing checks;
- Uhland, Sr. (US Patent No. 5,444,794) discloses a check image capture system;
- Funk (US Patent No. 5,832,463) discloses an automated system and method for checkless check transaction;
- Miki, et al. (US Patent No. 5,544,043) discloses check processing equipment;
- Owens, et al. (US Patent No. 4,264,808) discloses a method and apparatus for electronic image processing of documents for accounting purposes;
- Behera (US Patent No. 5,187,750) discloses an archival document image processing and printing system;
- Cahill, et al. (US Patent No. 6,181,837) discloses an electronic check image storage and retrieval system;

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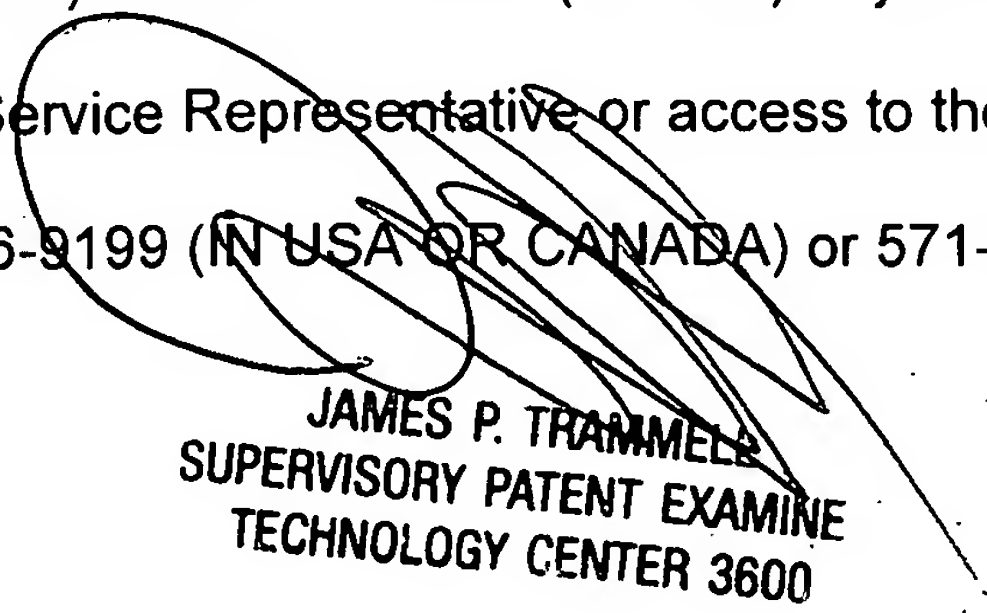
- Schulze, et al. (US Patent No. 6,446,072) discloses a method of obtaining an electronically-stored financial document; and
- Riehl, et al. (US Patent No. 7,062,456) discloses a system and method for back office processing of banking transactions using electronic files.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Bradley Wright whose telephone number is (571) 272-5872. The examiner can normally be reached on M - F 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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